

RECEIVED
CENTRAL FAX CENTER

SEP 05 2006

Claims 7, 16 and 31 are supported in the drawings in Figure 1 "...wherein the plurality of photosensors [25] are in a plane offset, offset from the plane of light emission from the light emitting diodes [21]." as described in claim 16. The offset planes are offset horizontal planes as shown. Consider the glasses as worn.

That showing in Figure 1 was as supporting claim 16 was clear in eight examinations by the original examiner, Laura Grier, and her supervisor, Forester Isen, who first examined the application in August, 2001 (paper 3) without objection to claim 16, by Ms. Grier and her primary, Minsun Oh Harvey, who examined the application in November, 2002 without objection to claim 16, and to Ms. Grier and her SPE, Mr. Isen, who examined the application in May, 2003 without objection to claim 16, and to Ms. Grier and Minsun Oh Harvey, who examined the application in October, 2003 without objection to claim 16, and to Ms. Grier and her primary Xu Mei who examined the application in October, 2004 without objection to claim 16, and to Ms. Grier, who examined the application in March, 2005, October, 2005 and January, 2006 without objection to claim 16.

Sep 05 06 12:14p

J C WRAY

703 448-7397

p.3

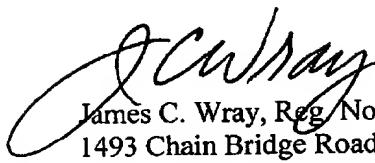
RECEIVED
CENTRAL FAX CENTER

SEP 05 2006

CONCLUSION

Kindly withdraw the new 112 formal rejection and the new 103 rejection based on
Piosenka.

Respectfully,



James C. Wray, Reg. No. 22,693
1493 Chain Bridge Road, Suite 300
McLean, Virginia 22101
Tel: (703) 442-4800
Fax: (703) 448-7397

Date: 9/5/2006